

Date:23-Jan-2007

MINUTES

PARK HILLS CITY COUNCIL MEETING

WORK SESSION

JANUARY 23, 2007

Call to Order

Mayor John Clark called the Work Session meeting of the Park Hills City Council to order at 6:07 p.m. in the Park Hills Council Chambers on January 23, 2007. Roll call was as follows: Council members Barnett, Dickerson, Easter, Glore, Reed, and Mayor Clark were present. Cunningham and Holloway were absent. Also present were: City Administrator John Kennedy, Community Development Director Dale Thomure and Deputy City Clerk Terri Richardson.

Election of Mayor ProTem

Mayor Clark asked the Council to address the position of Mayor ProTem. Councilwoman Dickerson made a motion nominating Councilman Glore. Nominations ceased. Councilman Barnett seconded the nomination and it passed unanimously on roll call vote as follows: Ayes; Council Members Barnett, Dickerson, Easter and Reed. Nays; none. Councilman Glore abstained. Councilman Glore was, therefore, elected Mayor ProTem.

ACTION ITEMS

C.D. Renewal

City Administrator John Kennedy passed out a report showing current c.d. rates obtained for the re-investment of Sun Security C.D. #48427 which will mature on 1-26-07. He explained that this C.D. is one that is set for 6-month maturity so that the Special Road District loan payment can be added upon receipt. There were three institutions that could not be contacted for a rate before the meeting. A motion was made by Councilman Glore to reinvest the C.D. with Bank Star of the LeadBelt at 5% for 6 months or with one of the other institutions if a higher rate is offered at the time of maturity. The motion was seconded by Councilwoman Dickerson and passed unanimously on roll call vote as follows: Ayes, Council Members Barnett, Dickerson, Easter, Glore, and Reed. Nays; None.

## DISCUSSION ITEMS

### Building Code Updates

Community Development Director Dale Thomure passed out the results of a survey of building code effectiveness grading schedule performed by the ISO, which resulted in a regression classification rating of 9 from the former classification of 5. Thomure explained that the principle reason for the regression is that the current adopted codes (2000) do not represent the latest edition available (2006). Thomure further explained that a comparison of the revised 2006 code was not currently available and he was unable to give the council a list of actual differences or changes that would be made by adopting the newer code. Thomure feels the current code based on 2000 works well for the City and his department is trained and proficient as well. ISO's letter explained that the City would need to submit a plan to update by March 12, 2007 and implement the update by December 12, 2007, in order to maintain the 5 classification. Thomure asked for council direction to either forego the classification for quality and competence with the current building code, or start the process to train, order materials, and whatever else is deemed necessary to pursue the increased classification rate. Thomure also stated that the City's ISO fire rating will remain a 5 and is a totally separate rating from the building code. After a lengthy discussion, the Council asked Thomure to bring the changes, once available, for comparison of the 2000, 2003 and the 2006 codes for their consideration in the near future and a decision will be made before the March 12 deadline for response. No action taken.

### Multi-Family Inspections

Kennedy and Thomure asked for direction from the Council on how to address non-compliance of the inspection ordinance of multifamily dwellings. Currently, many owners keep the water and other utilities on in their name to avoid the inspection process while others are just unaware of the ordinance. The condition of the dwelling is unknown and no access is gained unless a call is received from a tenant requesting an inspection. Thomure stated that with his current staff, he could address a type of annual or biannual mandatory inspection of all multifamily dwellings where an appropriate fee could be assessed and a percentage of the units could be inspected or all units could be inspected, however, a privacy and unlawful search factor is involved. He stated that some cities' approach to this problem is to issue a "license" to operate a multifamily dwelling that has to be renewed annually and part of the licensing process requires inspection of the units. Another approach suggested was to invite the owners to a meeting and get some feedback directly from them. Thomure estimated well over 1000 units that are currently not being inspected upon change of occupancy, both poorly maintained and well kept properties. After a lengthy discussion, the Council requested that Thomure put together a licensing proposal for them to consider at a later date. No action taken.

## Alley Vacates

Kennedy made the Council aware that the City receives approximately 3 to 6 requests annually to vacate alleyways and he explained that the process involves considerable time of the staff, as well as, title and legal researches, advertising, public hearings, planning and zoning meetings, etc. He also posed the question to the Council of whether they felt that giving away city property is a good policy and if so, should the expense of it be imposed on the property owner who is requesting the vacate. Councilman Reed then asked about a request to vacate an alley by Joe Holloway made about a year ago and why it's taking so long to reply. Thomure answered this request was not a high priority item and that he simply hadn't had the time to complete it. The Mayor expressed his desire to actually reopen and maintain more alleys rather than vacate them but did concede that in some instances, vacating an alley is preferable to both the city and the adjoining property owners due to certain circumstances. Thomure also explained each property owner is awarded half of the existing alley which is then legally added to their property description and increases their property assessment, however, all adjacent property owners must sign and agree to the request to vacate or the request is null and void. Consensus among council members after a lengthy discussion was to accept alley vacate requests and continue to consider them on a case by case basis, however, they would consider passing on a reasonable fee to the property owner to help defray the expense of the process. Councilman Reed also asked if Mr. Holloway's request could be considered in the near future. No action taken.

## Memorial Tree Policy

City Administrator John Kennedy referring to the memorial trees around the municipal building, posed the question of who should be financially responsible for the replacement of dead or dying trees and lost or damaged nameplates? He also informed the City Council that there are only two spots left on the City Hall property that can accommodate a memorial tree at this time. Recently, a small flowering crab had been planted for the late Councilman Kelly. Mayor Clark asked if memorial trees could be planted in other city parks or areas if desired and that we should request only small tree types to avoid overcrowding. Council discussion concluded with the general agreement that the city could budget a couple of small trees per year and maybe look into an alternative way to display names and dedications. No action taken.

## Water Department Projects

Kennedy informed the council that the water department operating funds are dwindling and that they will be unable to take on any new projects in the near future. They have been informed that a street project in Desloge involving Cantwell Lane and Cedar Street will require us to relocate a sewer line in the right of way. One of the reasons for lack of funds is due to costly legal fees totaling over \$65,000 since

the beginning of the fiscal year and the fact that there will be more legal fees to come. The Council asked for specific justification if they are to consider a rate increase. No action taken.

## REPORTS

### Annexation

Kennedy referenced annexation comments and informed the council that the city did not receive any written or verbal comments prior to or during the public hearing, however, prior to this meeting, Mrs. Oberlie called to express her opposition to the annexation, stating that she does not believe our city is progressive.

### Workers Compensation Award

Kennedy passed around a letter and a plaque awarded to the City from Missouri Rural Services stemming from the recent Valued Performance Review citing outstanding performance and safety issues met by the City of Park Hills employees. He commented that this award will have a positive effect on the premiums and that the employees should be commended. The council agreed and suggested that perhaps a small reward could be passed on to the employees to show their appreciation in the form of a nice cap or shirt or perhaps gift certificates to area restaurants. Kennedy agreed to discuss the possibility of awards with department heads. No action taken.

### Proposed Legislation

City Administrator John Kennedy passed out legislative bulletins and alerts put out by Missouri Municipal League to all council members for discussion of current legislative issues. He pointed out that the minimum wage law controversy does not affect the City as we have always paid law enforcement based on a 40-hour week and our firemen are paid a stipend. Councilman Glore asked about House Bill 122 referring to excess municipal court fines, again, Kennedy informed him that this would not impact the City of Park Hills. There was some general discussion on the Senate Bill 284 Video Franchise Bill Hearing and on the Senate Bill 217 Local Firearms Regulations. Kennedy asked if any Council member wished for a copy of any of the proposed bills or other literature, he could accommodate them upon request. Kennedy also encouraged any council member interested in any of the legislative items to contact their state representative or senator. No action taken.

## Adjournment and Reconvening in Executive Session

There being no further business to discuss, Councilman Glore made a motion to adjourn the regular meeting and to reconvene in executive session to discuss matters related to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys as authorized by Section 610.021 (1) RSMo., leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore as authorized by Section 610.021 (2) RSMo. And hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded as authorized by Section 610.021 (3) RSMo. Councilman Reed seconded the motion and it passed unanimously as follows: Ayes; Council members Barnett, Dickerson, Easter, Glore and Reed. Nays; none. Meeting adjourned at 7:55 p.m.

## Adjournment

The Council reconvened in regular session, being called to order by the Mayor at 9:00 p.m. Councilwoman Dickerson made a motion to adjourn, seconded by Councilman Easter and passed unanimously on roll call as follows: Ayes; Council members Barnett, Dickerson, Easter, Glore, and Reed. Nays; none. Meeting adjourned at 9:02 p.m.